

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Milton I. Shadur	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	01 C 5494	DATE	8/13/2002
CASE TITLE	USA vs. Richard Hill, et al		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

DOCKET ENTRY:

- (1) ☐ Filed motion of [use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due ____.
- (3) ☐ Answer brief to motion due _____. Reply to answer brief due ____.
- (4) ☐ Ruling/Hearing on _____ set for _____ at _____.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) ☐ Trial[set for/re-set for] on _____ at _____.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
☐ FRCP4(m) ☐ Local Rule 41.1 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] Enter Memorandum Opinion and Order. Government's motion for summary judgment is granted. (8-1) Accordingly judgment is ordered to be entered in favor of the United States and against Richard Hill and Lillie Hill, jointly and severally, in the sum of \$33,770.

- (11) ☒ [For further detail see order attached to the original minute order.]

No notices required, advised in open court.		number of notices	Document Number 11
No notices required.		AUG 15 2002 (date docketed)	
<input checked="" type="checkbox"/> Notices mailed by judge's staff.		(initials) (docketing deputy initials)	
Notified counsel by telephone.		8/13/2002 (date mailed notice)	
Docketing to mail notices.		SN	
<input checked="" type="checkbox"/> Mail AO 450 form.	Date/time received in central Clerk's Office	mailing deputy initials	
Copy to judge/magistrate judge.			
SN	courtroom deputy's initials		

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
RICHARD HILL and LILLIE HILL,)
)
Defendants.)

No. 01 C 5494

DOCKETED

AUG 15 2002

MEMORANDUM OPINION AND ORDER

After government counsel had announced their intention to file a motion for summary judgment against Richard and Lillie Hill (collectively "Hills") in this action charging them with violations of the False Claims Act, this Court followed its invariable practice of sending pro se litigants such as Hills a detailed letter outlining the procedure and potentially dispositive consequences attendant on such a motion. Then the United States did file its properly supported Fed. R. Civ. P. ("Rule") 56 motion, together with the supporting materials called for by this District Court's LR 56.1 implementing that rule.¹

Hills have since requested and have been granted several extensions of time to file their opposition to the government's Rule 56 motion. They have not done so, and that of course means that the properly supported statements in the government's motion

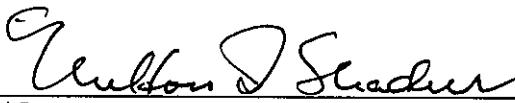
¹ In addition, the government sent its own form of notice to Hills, explaining in somewhat briefer compass the matters as to Rule 56 and its operation that had been covered by this Court's letter to them.

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stand admitted.

There is no need to reinvent the wheel by repeating what the government has said in its thorough Memorandum in Support of Plaintiff's Motion for Summary Judgment. In sum, the record amply confirms that Hills obtained need-based student financial aid for the education of their dependent daughter Tiffany Hill based on their repeated false statements as to their household income and, in one year, as to their marital status. As the result of those false statements, Tiffany received Pell Grants and Supplemental Education Opportunity Grants aggregating \$9,590. There is no genuine issue of material fact, and the United States is entitled to a judgment as a matter of law.

Under 31 U.S.C. §3729(a) Hills are "liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages which the Government sustains because of the act of [those] person[s]." In this instance the treble damage award comes to \$28,770 and the minimum civil penalty is \$5,000. Accordingly judgment is ordered to be entered in favor of the United States and against Richard Hill and Lillie Hill, jointly and severally, in the sum of \$33,770.



Milton I. Shadur
Senior United States District Judge

Date: August 13, 2002